

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:10-00091-06

ANDREWIENA LYNN CORATHERS

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On December 27, 2012, the United States of America appeared by Joshua C. Hanks, Assistant United States Attorney, and the defendant, Andrewiena Lynn Corathers, appeared in person and by her counsel, Tim C. Carrico, for a hearing on the petition on supervised release and amendment thereto submitted by United States Probation Officer Jeffrey D. Bella, the defendant having commenced a three-year term of supervised release in this action on May 12, 2011, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on January 10, 2011.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) that as of September 11, 2012, the defendant had while on supervised release committed the state felony offense of fraudulent schemes, a criminal complaint having been filed that date in Lincoln County Magistrate Court, as evidenced by the defendant's stipulation on the record of the hearing that the government possesses sufficient proof to prove the offense by a preponderance of the evidence; (2) that the defendant used and possessed controlled substances as evidenced by her admissions to the probation officer on September 3 and 6, 2012, that she had used OxyContin without a prescription during the months of June, July, August and September 2012, and as admitted by her on the record of the hearing; (3) that the defendant failed to be in contact with the probation officer as instructed from September 6, 2012, until the date of the petition of November 7, 2012, rendering her whereabouts unknown to the probation officer, as admitted by her on the record of the hearing; (4) that the defendant failed to follow the instructions of the probation officer in that she failed to report to the Huntington Probation Office on September 10, 2012, as instructed by the probation officer on September 6,

2012, as admitted by her on the record of the hearing; (5) that the defendant failed to notify the probation officer at least 10 days prior to her change in residence inasmuch as she left her approved residence on September 7, 2012, and did not return as of the date of the petition of November 7, 2012, as admitted by her on the record of the hearing; and (6) that the defendant used and possessed controlled substances as evidenced by a positive urine sample submitted by her on November 28, 2012, for methamphetamine and amphetamine, the defendant having also admitted to the probation officer that same date that she had used marijuana and Lortab, for which she had no prescription, as admitted by her on the record of the hearing; all as set forth in the petition on supervised release and amendment thereto.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

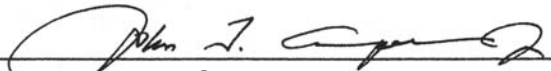
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal

Procedure, and finding, on the basis of the original offense, the intervening conduct of the defendant and after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant is in need of correctional treatment which can most effectively be provided if she is confined, it is accordingly ORDERED that the defendant be, and she hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of SIX (6) MONTHS, to be followed by a term of thirty (30) months of supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that the defendant not commit another federal, state or local crime and the special condition that she participate in the Presteria drug abuse counseling and treatment program at Pinecrest on a residency basis for a period of sixty (60) days and participate in any after-care program available through Presteria or any other such location as directed by the probation officer.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: December 27, 2012



John T. Copenhaver, Jr.
United States District Judge